IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6773 OF 2003

Pushpa Ramadhar Deharia ..Petitioner.

Vs.

State of Maharashtra & Ors. ..Respondents.

...

Mr.C.M.Jha for the Petitioner.

Mrs.M.P.Thakur, AGP for the State.

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CORAM : F.I.REBELLO, J. AND

DR.D.Y.CHANDRACHUD, J.

24th February, 2006.

P.C. :

Taken up forthwith. The Petitioner challenges a condition imposed in the caste certificate that the Petitioner will not be entitled to the benefit of reservation in local employment in the State of Maharashtra. The Petitioner admittedly is a migrant. Once that be

the case, the law is settled that the migrant is not entitled to the benefit of reservation in the State of migration, but will be entitled for reservation in the home state. We therefore do not find any case for interference. The Petition is dismissed.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD, J.)